

REMARKS

I. Introduction

Applicants submit this response in connection with a Request for Continued Examination. Claims 1-12 and 14 remain pending. Claims 1, 8, and 12 have been amended to clarify certain aspects of the invention, support for which appears at least in Figures 1-3, original claim 7, page 5, lines 20-21 of the specification (the gas pathways are mutually isolated and thus, do not communicate with one another), and page 3, lines 15-17; page 14, lines 1-4 (the supply of pressurized gas maintains a positive pressure in the second cavity).

The amendments are made without acquiescing to the Examiner's rejections but only in the interest of advancing the prosecution of this application. Based on the amendments and the following remarks, Applicants respectfully request reconsideration and allowance of the pending claims.

II. Request for Interview

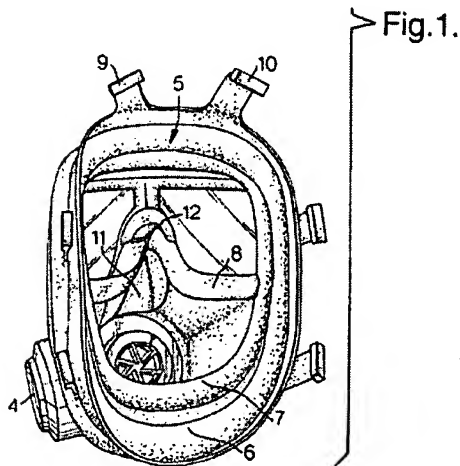
Applicants respectfully request that the Examiner grant Applicants an interview to discuss the art cited and the pending claims prior to issuance of a new Office action in this matter.

III. Cronjaeger

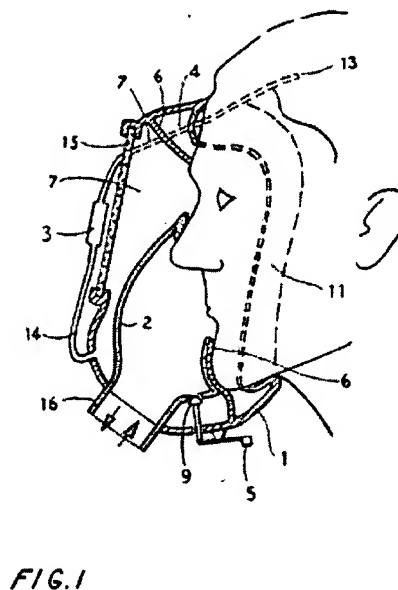
Applicants respectfully submit that the claims as currently presented distinguish over the disclosure of Cronjaeger by the following features:

1. First Cavity

Applicants' claim 1 recites "a first sealing means configured to form a seal on an area of a user's face comprising the eyes, mouth, and nose so as to define a first cavity *bounded by* the sealing means, the facepiece and the said area of the user's face" and further specifies that "air is inhaled and exhaled *solely through the first cavity.*"



Applicants' Figure 1



Cronjaeger's Figure 1

By contrast, the portion of the Cronjaeger design characterized as the first cavity (chamber 7) does not actually have air inhaled and exhaled therein. See above highlighted figures.

Moreover, claim 1 further recites that the cavity is formed between "the first sealing means, the respirator facepiece and the area of the user's face (defined earlier in the claim as the user's eyes, *mouth and nose*"). By contrast, the Cronjaeger chamber 7 (the element

characterized as the claimed first cavity) is bounded only by the user's *eyes*, not the mouth and nose.

2. Air Pressure Supply

Applicants' claim 1 also recites a second sealing means that forms an outer seal around the first sealing means to define a second cavity. The second cavity is further recited as being supplied with pressurized air from an air pressure supply means in order to maintain a positive pressure in the second cavity.

By contrast, Cronjaeger does not describe an air pressure supply means suitable for supplying pressurized air to cavity 4 (the portion being characterized as the claimed second cavity) but only that air may be exchanged between Cronjaeger mask interior 7 and control chamber 4. There is no disclosure of "supplying pressurized air *to the second cavity*" as such - and no disclosure that a positive pressure is maintained in the cavity 4.

3. Non-communicating cavities

Applicants' claim 1 has been amended to recite that the first and second cavities define separate, non-communicating cavities. Support for this amendment appears in Figures 1-3, which show the cooperation between the sealing means 6 and 7. Support also appears in original claim 7 and the specification at page 5, lines 20-21, where it is stated that the gas pathways are "mutually isolated"). This non-communication is also inherent in the description of how the cavities work in order to maintain separate pressures. The second cavity is unaffected by pressure changes caused by the inhalation and exhalation cycle,

which means that there is not any communication between the two cavities. Moreover, the claims presently recite that there is a positive pressure maintained in the second cavity.

Cronjaeger does not disclose cavities that do not communicate with one another. By contrast, Cronjaeger cavities 4 and 7 *do* communicate with one another via valve 9, as shown in Figure 2 and as described in the specification. The function and purpose of valve is to clearly stated to provide communication between cavities 4 and 7. In Figure 1, Cronjaeger provides a direct communication between the half mask and the outer chamber which is contrary to the separation of these two features in the claimed invention.

In summary, Applicants have clarified that its first and second cavities do not communicate and has identified claimed features that are not shown by the Cronjaeger patent. For this reason, Applicants respectfully request reconsideration of this rejection.

4. Sealing piece

Regarding claims 8 and 12, the Examiner submits that Cronjaeger provides a sealing piece comprising portions 6 and 11, with a third connecting portion located on half mask 2. However, the sealed cavity provided thereby would be the cavity identified by Cronjaeger as 4, and as discussed above, there is no provision of pressurized gas to this cavity as required by claim 8. Consequently, there can be no anticipation of claim 8 (nor of claim 12, which also recites these features).

Applicants have also clarified that the first and second portions have end portions that are inwardly curved toward one another. Support for this amendment appears at least in Figures 2-3, as well as at page 15 where the seals are described as reflex and reverse seals.

This amendment provides clarification and explanation of the claim limitation that “in use, the application of a positive pressure in the cavity does not cause the seals to be broken.”

This structural design and its resulting benefit of allowing the seal portions to maintain their seal upon application of a positive pressure is not taught or suggested by the Cronjaeger patent. Accordingly, because Applicants have shown that the Cronjaeger patent does not teach or disclose every claimed element, it is respectfully submitted that this rejection be reconsidered and withdrawn.

CONCLUSION

For at least the above reasons, Applicants respectfully request allowance of the pending claims and issuance of a patent containing these claims in due course. If the Examiner believes there are any issues that can be resolved via a telephone conference, or if there are any informalities that can be corrected by an Examiner's amendment, he is invited to contact the undersigned.

Respectfully submitted,

/Kristin M. Crall 46,895/

Kristin M. Crall
Reg. No. 46,895

KILPATRICK STOCKTON LLP
1100 Peachtree Street
Suite 2800
Atlanta, Georgia, 30309-4530
404.815.6147